

## FAIR HEARINGS

# WorkFirst NJ

### YOUR RIGHTS

As a WFNJ applicant or participant, you have the right to request a fair hearing when you disagree with an action taken (or not taken) by the welfare agency - for example, if your benefits are being reduced or terminated or you think your cash benefit amount is incorrect.

The following outlines your rights during the fair hearing process:

1. Present your case personally or have a lawyer (or any other person you choose) act as your representative.
2. Be provided with the name, address and phone number of the nearest Legal Services office, if necessary.
3. Submit any information or testimony connected with your appeal.
4. Bring any witnesses to the hearing that may be needed to supply information or testimony.
5. Question or challenge any information or witnesses presented by the welfare agency.
6. Examine before, and/or during the hearing, all material that will be used by the welfare agency to present its case.
7. Review the Work First New Jersey manual and related policy documents issued by the NJ Department of Human Services.
8. Receive written notice at each step in the hearing process that explains your options, responsibilities and rights.
9. Withdraw the hearing request at any time, by phone or in writing.
10. Call or write the county welfare office (or local welfare office, if you are a GA recipient) or the state Bureau of Administrative Review and Appeals if you think that some of the information presented at the initial hearing was incorrect or not fully understood.
11. Appeal the final hearing decision, if it is not in your favor, to the New Jersey Superior Court Appellate Division, phone: 609-292-4822.



New Jersey Department of Human Services  
James E. McGreevey, Governor  
James M. Day, Commissioner

WorkFirst NJ

# WorkFirst NJ

### ABOUT WORK FIRST NJ

Work First New Jersey (WFNJ) is New Jersey's welfare program. It provides financial assistance and other support services to families and children in need through the Temporary Assistance for Needy Families (TANF) program.

WFNJ also provides assistance and support services for single adults and couples without dependent children who are not eligible for TANF, through its General Assistance (GA) program.

The main goal of WFNJ is to assist recipients in moving from welfare to work, while helping to make the transition to employment and self-sufficiency easier.



## FAIR HEARINGS



### PURPOSE OF HEARINGS

Fair hearings are a means of giving you an opportunity to appeal a decision by your welfare agency that may affect your eligibility to receive WFNJ assistance. These hearings help ensure that the WFNJ program is administered fairly to all persons.

### THE HEARING PROCESS

- Your request is filed with the county or local welfare office, or the New Jersey Division of Family Development.
- A date is set for a hearing; hearing is held.
- An Administrative Law judge issues a recommendation concerning your claim.
- A final decision is issued by the Division of Family Development.
- If you still disagree with the final decision, you may file an appeal with the New Jersey Superior Court, Appellate Division (see back panel).

*This card is provided as an informal guide to the WFNJ fair hearing process. Further details about the WFNJ law, regulations, or the fair hearings process are available from the New Jersey Division of Family Development. Call toll-free 1-800-792-9773.*

## FAIR HEARINGS

# WorkFirst NJ

### HOW TO REQUEST A FAIR HEARING

For WFNJ recipients, a fair hearing request must be made within 90 days of the action you would like appealed. For example, if you receive a notice advising you that your cash assistance benefits are going to be reduced as of June 1, you must request a fair hearing within 90 days of June 1.

WFNJ TANF recipients may call or write to your county welfare agency to request a fair hearing. WFNJ GA recipients may contact either your county or local welfare agency to request a fair hearing. No special forms or procedures are required; however, a written request is strongly recommended. All requests should include your name, address, phone number, case number, caseworker's name and the reason why you are requesting a fair hearing.

Requests may also be made directly to:  
**New Jersey Division of Family Development**  
**Bureau of Administrative Review & Appeals**  
**PO Box 716**  
**Trenton NJ 08625-0716**  
**Call toll-free: 1-800-792-9773**  
**Or Fax your request to: 1-609-588-2149**

To help us help you better: when you call or write or send a fax, please tell us whether you are calling about a TANF or GA matter, and whether you would like to speak with your county representative or your GA representative.



### TO CONTINUE RECEIVING ASSISTANCE (during the fair hearing process)

If you are appealing a suspension, reduction or termination of your cash assistance benefits, you can choose to continue receiving cash assistance at an unreduced level until the first hearing is held. Here's how:

**TANF** recipients must file an early request for a fair hearing – that is, within **15** calendar days from the mailing date (or "post-marked date") of the notice of suspension, reduction or termination.

**GA** recipients must file an early request for a fair hearing within **10** calendar days from the mailing date (or "post-marked date") of the notice of suspension, reduction or termination.

**Important:** Once a fair hearing is scheduled, you must show up for the hearing, or else the decision you are appealing will remain in effect.

**REMEMBER:** If the final hearing decision supports the welfare agency's action to suspend, reduce or terminate your cash assistance benefits, you will have to pay back any cash benefits you received while you were waiting for the decision.

### THERE ARE OTHER WAYS TO RESOLVE YOUR COMPLAINT

You may also try to resolve your complaint by:

- Asking for an informal meeting with a welfare agency representative.
- Writing to the New Jersey Division of Family Development to request a review of the action in question. (See address in previous section; GA recipients should write to the GA UNIT at this same address.)
- Contacting your state field representative (GA recipients should contact your state GA field representative), by calling toll-free 1-800-792-9773.

If you are not able to resolve your complaint after taking any of these steps, you may still file a formal request for a fair hearing.

*If you believe you have been discriminated against because of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, or marital or family status, you should report the situation in writing immediately to the New Jersey Division of Family Development (see address in previous section). You may also report the situation to:*

U.S. Department of Health and  
 Human Services  
 Director, Office of Civil Rights  
 Federal Building  
 26 Federal Plaza  
 New York, NY 10007



New Jersey Department of Human Services  
**James E. McGreevey, Governor**  
**James M. Dwyer, Commissioner**